I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Dated: November 10, 2006 Signature:

Docket No.: SPINE 3.0-437 CPCPCPCPCPCP I CON I (PATENT)

: Group Art Unit: 3738

: Examiner: Pellegrino,

Brian E.

NOV 14 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Errico et al.

Application No.: 10/663,493

Filed: September 16, 2003

For: INTERVERTEBRAL SPACER DEVICE HAVING AN ANGLED PERIMETER FORMANIPULATION USING ASURGICAL

TOOL

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

Official Action In response to the mailed May 12, 2006, Applicants submit the following amendments and remarks.

A Petition for a Three-Month Extension of Time thereby extending the time for responding to the Official Action from August 12, 2006 to and including November 12, 2006 is submitted herewith.